

District III Advisory Board Minutes

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**August 3, 2005
7:00 p.m.**

**Wichita WATER Center
101 E. Pawnee**

The District III Advisory Board meeting was held at 7:00 p.m. at the Wichita WATER Center at 101 E Pawnee. The District III City Council member, Jim Skelton and eleven (11) District Advisory Board members were in attendance. Seven (7) city staff were present and approximately twelve (12) members of the public, most of whom signed in.

Members Present

Teresa Cook
Jim Gulick
William Ward
Joann Hartig
Charlotte Foster
Judy Dillard
John Kemp
Matt Foley
Dewayne Kitchen
Gerry Myers
Jesse Sheffield
CM Jim Skelton

Members Absent

Danny Harshbarger-Youth

Staff Present

Mark Stanberry
Kay Johnson
Mary McDonald
Lt. Clark Wiemeyer
Lt. Steven Kenney
Officer Ginny Wylie
Vicki Mork

Guests

See page

ORDER OF BUSINESS

Call to Order

Council Member Skelton called the meeting to order at 7:00 p.m.

Approval of Minutes

Kemp (Ward) moved that the minutes from the July 20, 2005 meeting be accepted and approved. DAB members voted 11:0, unanimous approval.

Action: Received and filed.

Public Agenda

1. Scheduled Items

None were presented at the time.

Recommended Action: Provide comments/take appropriate action.

2. Off Agenda Items

John Dickson, 6054 S. Minneapolis spoke on a variety of issues beginning with nuisance lighting. He quoted an excerpt from city code. He feels the code is clear and enforceable but his complaints about his neighbor's lighting are not being enforced. He is concerned about the new business located at 8323 W. Kellogg. He supports an extension of the moratorium on sexually oriented businesses. He claims that a business of prostitutes for truckers is flourishing with truckers at night in the parking lot of the old Checkers Grocery store at 211 E. 47th Street South. He would like to see something done about this.

Foley reports Hilltop Homeowner Association has had to put up a fence behind the adult store at Oliver and Harry in response to prostitution activities behind the store. **Skelton** says he's very in favor of regulation for sexually explicit businesses. The Council is working on zoning charges and there is a moratorium in place currently to prevent further establishments from opening.

Recommended Action: Provide comments/take appropriate action.

Staff Presentations

3. Community Policing

Officer Ginny Wylie thanked people for participating in the many National Night out parties throughout District III. She reported there was a prostitution sting on South Broadway 23 and 24 Beats between Kellogg and Broadway. A number of women were arrested. She encouraged the public to report suspicious activity. She is seeing some graffiti. She commended Jesse Sheffield, South City Neighborhood Association for quick action painting out graffiti. Incidence of auto thefts has increased. She is unsure of why this is happening now, as it is usually a winter thing. It seems that in some cases the keys were left in the vehicles.

Foster referred to a shooting at 800 S. Hillcrest. She said Lt. Easter reported on television that gang members put in prison 10 years are being released and coming back to their old haunts. **Officer Wylie** confirmed that was the case and she said the police are trying to serve outstanding warrants on many of these individuals as they return to the community.

Hartig reported an unknown man knocked on her door recently asking for money for his wife and kids. **Officer Wiley** advised against answering the door, recommends calling the

police because if you answer the door it is possible they may come inside and overpower you.

Lt. Wiemeyer said that was a common ploy. He reminded everyone about a guy that gained entry to homes claiming he was diabetic and needed orange juice. Once inside he stole from the homes. He was caught and is being charged in 25 burglaries.

Sheffield thanked police for good job. **Dillard** said a few years ago a city ordinance was passed establishing mapping boundaries for prostitutes and she asked if it was still in force. **Officer Wylie** explained that it is and it still prevents a prostitute who has been convicted from returning to the area for any reason. **Foley** asked about the recovery rate in auto theft. **Officer Wylie** said most vehicles are recovered in 10 days or less, about 75% of them. She believes most are for joy rides.

Recommended Action: Receive and file.

4. Wichita Housing and Community Services Department

Mark Stanberry explained that Rob Snyder he is back once again requesting resolution of support for Keystone Apartments. This project and his original application came before DAB III back in March and at that time the application was only for the first phase of the project. Rob Snyder was asked to reapply for the entire project. He intends to renovate each of the 180 units with new doors, windows, floor coverings, insulation, furnace and air conditioner. City policy for resolution of support requires DAB review along with other City of Wichita Departments. Rob Snyder has submitted budgets reflecting the entire project.

Foley expressed concern that the renovated properties meet all City codes and the rents remain reasonable. He was assured that would be the case. **Stanberry** said the plan for tax credits was created in 1989 and allocated to all states. The tax credits are awarded to projects on a competitive basis. The award in turn sells them on a discount basis to large corporations. The developer gets the money and the corporation takes the tax credits. These are resources that are allocated for affordable housing. Tax credits allow more control through annual inspections. The target market for these apartments is low income working folks.

Gulick asked the amount of the tax credit request last time? **Stanberry** said it was \$429,350. **Gulick** then asked the amount of the current request? **Stanberry** replied, referring to the agenda report document provided to DAB members, saying it was \$ 1 million tax credits as this was a larger scope request.

Brian Flores, 3620 E. Sunnybrook was introduced as the project manager. **Foster** questioned and was told property taxes were being paid on the apartment complex. **Kemp** asked how many units will receive central hear and air. **Flores** said all 180 units would receive them.

Foley asked if tax credits weren't assigned to this project here, would they go out of town? **Stanberry** said that would be the case and assured Foley that the rents will remain

affordable. **Councilmember Skelton** asked if the goal is to provide affordable housing? **Stanberry** responded yes and the tax credits are used to address blighted areas. **Stanberry** says this is a perfect example of a good use for the program as many DAB members have observed the blighted conditions. All funds from Tax Credits will be used for brick and mortar none will be used for the acquisition of these units. The project wouldn't happen without Tax Credits. **Dickson** says this is a big project and it's worthwhile. **Billy Tucker, 4140 Menlo** asked if the money was only for Keystone Apartments and was assured it was.

Deborah Stevens, 3125 E. Boston asked if the tax credit property could be sold? **Stanberry** said the property couldn't be sold unless approved by the State. Default on these projects is serious business. **Betty Strickland, 1302 Galena** recommended using union workers on this big project.

Gerry Myers, DAB member said without support of this project by DAB III then the blighted area would continue to deteriorate. **Gulick** reminded everyone these Federal tax credits come out of everyone's pocket. **Kitchen** said he lives in Planeview, has personal knowledge of Rob Snyder and likes the many improvements he's implemented in the neighborhood. He says this is a deserving project and he supports the tax credits.

Recommended Action: Dillard (Hartig) moved that DAB III recommend approval for the Resolution of Support for the Keystone Apartment project. Motion passed 9:2. Gulick and Foster dissented.

5. Legal Department

Mary McDonald, Assistant City Attorney, explained she is in charge of the prosecutor's office. The City's Municipal Court is the busiest court in Kansas. She provided an overview of 2005 Legislative and Municipal Changes for the sale, transport and storage of firearms. House subcommittee for Senate Bill 195 brought up to equalize gun ownership in Kansas. KSA 21-4206 says confiscated guns can be traded for sale to licensed federal firearms dealer or for use within that agency.

She believes the new section 10 (a) will have a huge impact in Wichita. It states that no city, county shall have a regulation governing the sale or ownership of guns. This applies in all cases except taking guns into Court House or City Hall. The City can still have an ordinance that regulates the transport of a gun. National changes allow retired Police Officers to carry weapons anywhere. This law change forced the City to repeal our local Brady law.

Senate Bill 298 Alcoholic liquor and Sunday sales would allow Sunday sales of liquor on a statewide basis. As a result of this law the Kansas Liquor Control Act will be amended November 15, 2005. Changes in liquor sales can be allowed by ordinance or referendum (proposition). The law prohibits AWOL, which is Alcohol With Out Liquid mixed with oxygen. The alcohol is inhaled. Sunday liquor sales are limited to the hours of noon to 8:00 p.m. but no sales allowed on Thanksgiving, Christmas and Easter.

DAB members asked if gun ordinance change would affect Wichita Police Department's ability to work with gangs. **McDonald** said it would help because if they are carrying

unloaded guns they have to be “contained”. **Sheffield** stated he’s against recycling guns. Council approved changes at the end of June as the State law changes went into effect July 1, 2005 went into effect.

Recommended Action: Receive and file.

6. LOUD Music Enforcement Efforts

Lt. Steve Kenney began his presentation saying the Wichita Police Department has received complaints from citizens regarding loud music.

- 1) Loud stereo ordinance states it’s unlawful to play car stereo in such fashion that police can hear it. Ordinance 11.38-380. The City of Wichita ordinance is unusual for city. It’s a \$75 ticket.
- 2) City Ordinance on Loud noise 7.41-010. The problem with this ordinance is that Wichita Police Department can’t be the complainant. The citizen complaining must be willing to be contacted by WPD and be the complainant on the charge. Wichita Police Department understands citizens are reluctant to be contacted.
- 3) City Ordinance 741.030 defines loudness by decibel level. WPD decibel meters have been sent off for recalibration. Enforcement efforts under this ordinance can begin when they are returned.

Discussion turned to disorderly conduct, which is defined as offensive behavior or obscene language. WPD needs complainants to enforce this also.

Kitchen said juveniles obstruct the street move out of the way slowly and make rude gestures. Can they be charged with disorderly conduct? **Lt. Kenney** City ordinance doesn’t apply to juveniles they would have to be charged by State Statute. **Dillard** asked is loud ordinance enforceable on private property like manufactured home parks or apartment parking lots? **Lt. Kenney** said yes it is.

Myers asked about enforcing a complaint of loud music but no contact with citizen. Asked by the neighbor the party says they’re not going to turn down music. If citizens won’t complain publicly can the WPD use the decibel meter? **Lt. Kenney** said they can but the citizen testimony is very valuable.

Skelton recommends that citizens file complaints. **Lt. Kenney** recommends a personal approach initially, neighbor contacting neighbor about their loud music or barking dog. **Lt. Kenney** says noise complaints are not limited to music.

Elena Ingle, 3608 Meadow Lane asked if the law applied to dogs? **Lt. Kenney** replied saying barking dogs are a bigger problem, as they can’t be turned down.

John Dickson said he and his neighbor are feuding between their light and his loud music playing. **Lt. Kenney** says if officer receives complaint about loud music but there isn’t any playing when he shows up then he won’t be signing a complaint. The decibel meter is not subjective.

Issue of lighting is not enforced by WPD. They defers to Office of Central Inspections and Environmental Services for enforcement of those ordinances.

Kay Johnson, Director of Environmental Services says loud businesses can be enforced through Environmental Services and also barking dogs. **John Stevens, 3125 Boston** suggests placing Police Officers at Hillside and Harry to enforce loud car stereos as many go by that corner everyday.

Recommended Action: Receive and file.

Board Agenda

7. Updates, Issues and Reports

Skelton announced the City Council workshop next week would be on a proposed tax increase on rental cars to pay for public art. He invited everyone and encouraged all to attend this public meeting in the Council Board room. He doesn't favor tax increases to support public art. He feels many City Departments need funding for basic issues. He supports priorities first before amenities. Public Art generated greatest budget discussion. Skelton also stated he was not supportive of \$1.9 million remodeling project for the 1st floor of City Hall.

Club Dreamz at 2600 S. Oliver and the scene of a very large private party which ended with a murder, he is working with Wichita Police Department and since so much bad stuff has happened at this location they are going to do everything they can to shut it down.

Sheffield said that Environmental Services and Office of Central inspectors slow to follow up. He would like to see fines imposed on violators. He referred in particular to 1301 Berkley. He also said that "Lake Wassall" was looking good referring to the area just north of Wassall between K-15 and the railroad tracks. This area was the site of spilled grain from a train derailment, when it got wet it was very smelly.

Kitchen reports the storm drain on Ross Parkway got cleaned out compliments of Jim Skelton and he and the neighborhood are very happy about that. He fully supports the destruction of Club Dreamz. The Planeview Neighborhood Association has a full compliment of board members. The first meeting for Hispanic Neighborhood Association will be held on August 12, 2005 at the Colvin Neighborhood City Hall at 6:00 p.m.

Kemp representing K-15 Association says everything is okay. He researched ownership of the methamphetamine house on Dunham Street and found Wells Fargo owns it with local management. He sent a letter to Wells Fargo complaining about it being a drug house and the occupants were evicted immediately and the house was boarded up.

Gulick reported a huge National Night Out party. He thanked CM Skelton for attending and Vicki for flyers, brochures, and pencils to give out. They had 150-200 people in attendance.

Elena Ingle reported that a root removed from their walking path by City of Wichita.

Ward stated that Meadowlark Neighborhood Association marked the passing of a faithful volunteer who provided a lot of care for walking park.

Foster concerned about repaving projects in her neighborhood. It was started but has since stopped. She also asked how can people buy abandoned property, referred to Sedgwick County as they maintain official property records.

Hartig reports a fire damaged house at 1802 S. Broadway. There are no OCI funds but waiting to hear from Environmental Services as an alternative funding source for boarding it up. There was a very large National Night Out party at Lincoln Park. One thousand free hot dogs and estimated 1,000 people in attendance.

Cook had no report.

Dillard said that 47th Street pavement has been affected by heat but repairs are happening. She also reported that there is a potentially dangerous problem on the new sidewalk installed just south of 47th Street along Hydraulic under the turnpike overpass. The kids skateboard down the concrete under the bridge and the sidewalk being higher than surrounding ground launches them onto Hydraulic. She observed one kid lying in the street on Hydraulic, she is concerned they could go out of control and land in traffic. She is requesting some type of barrier. Also wants to ask Community Policing to keep an eye on that area.

Myers said several members in the Mead Neighborhood Association have gone through Neighborhood Patrol. He reported that last week he caught a burglar in their neighborhood stealing out of open garages and the Police report he is going to clear about 30 burglaries based on the property they found in his house.

Foley reported on his neighborhood beautification project in Hilltop. He has been planting trees and fountain grass. He predicts Hilltop will look like a Monet painting.

Skelton advertised his upcoming District III Breakfast meeting on August 27th, 10 –11:30 am, breakfast on your own at Potbelly's Restaurant, 1211 E 47th St. South. The meeting will feature Mary Kay Vaughn, Director of the City of Wichita's Housing and Community Services Department. He invited everyone to join him.

Kemp (Hartig) moved for adjournment.

Recommend Action: Address each item as appropriate.

8. Next Meeting

The next regularly scheduled meeting for District Advisory Board III will be August 17, 2005 at the Water Center 101 E. Pawnee at 7:00 p.m.

No Action Required

Adjournment

Respectfully Submitted,

Vicki Mork, Neighborhood Assistant

Visitors

Larry Manny	1116 Alturas	67216
Kathy Manny	1116 Alturas	67216
Phyllis McComb	3814 Countryside	67218
Elena Ingle	3608 Meadow Lane	67218
John Dickson	6054 S. Minneapolis	67216
Billie Tucker	4140 Menlo	67218
Debra Miller Stevens	3125 E. Boston	67211
John Stevens	3125 E. Boston	67211
Annette Shoenthaler	1314 Galena	67216
Betty Strickland	1302 Galena	67216